

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

OCT 10 2008

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

ROBERT E. BROWN,

Plaintiff,

v.

MICHAEL J. ASTRUE, COMMISSIONER OF
SOCIAL SECURITY,

Defendant

CIVIL No. 3:08CV00006

ORDER

JUDGE NORMAN K. MOON

On May 28, 2008, I referred this case to the Honorable B. Waugh Crigler, U.S. Magistrate Judge, for proposed findings of fact and a recommended disposition. The parties subsequently filed cross motions for summary judgment (docket no. 10, 12), and on September 25, 2008, the Magistrate Judge filed a Report and Recommendation ("Report"). In the Report, Judge Urbanski recommended that Defendant's motion for summary judgment (docket no. 12) be granted. After a review of the entire record in this case, and no objection having been filed to the Report within ten days of its service upon the parties, I adopt the Report in its entirety.

Accordingly:

1. the September 25, 2008 Report shall be, and it hereby is, ADOPTED in its entirety;
2. Plaintiff's motion for summary judgment (docket no. 10) is hereby DENIED;
3. Defendant's motion for summary judgment (docket no. 12) is hereby GRANTED;
4. the Commissioner's final decision is hereby AFFIRMED; and
5. this case is hereby DISMISSED and STRICKEN from the Court's docket.

The Clerk of the Court hereby is directed to send a certified copy of this Order to all counsel of record and to the Magistrate Judge.

It is so ORDERED.

ENTER: This 10th day of October, 2008.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE